



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

October 5, 2016

SHELLEY COULSON  
21223 PACIFIC COAST HIGHWAY  
MALIBU, CA 90265

**REGARDING: PROJECT NO. R2015-01747-(3) / CDP NO. 201500074  
1720 TUNA CANYON ROAD, SANTA MONICA MOUNTAINS**

Hearing Officer Alex Garcia, by his action of **October 4, 2016**, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **October 18, 2016**. **Appeals must be delivered in person.**

**Appeals:**

**To file an appeal, please contact:**  
Regional Planning Commission, Attn: Commission Secretary  
Room 1350, Hall of Records  
320 West Temple Street, Los Angeles, CA 90012  
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. In addition, any applicable CEQA fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable, must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Josh Huntington of the Zoning Permits West Section at (213) 974-6462, or by email at [jhuntington@planning.lacounty.gov](mailto:jhuntington@planning.lacounty.gov). Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,  
DEPARTMENT OF REGIONAL PLANNING  
Richard J. Bruckner



Mi Kim, Supervising Regional Planner  
Zoning Permits West Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)

c: Board of Supervisors; DPW (Building and Safety); Zoning Enforcement

MKK:JSH

## Affidavit of Acceptance Instructions

**STEP 1: NOTARIZE AFFIDAVIT:** In the presence of a Notary Public, sign the Affidavit of Acceptance form. Complete and sign both applicant and owner sections, even if the applicant is the same as the owner.

**STEP 2: COUNTY REGISTRAR-RECORDER:** Visit the Registrar-Recorder's office at 12400 East Imperial Highway, Norwalk, CA 90650 (the following branch offices can also assist you: LAX Courthouse, Lancaster District Office, Van Nuys District Office. For more information call (562) 462-2125 or visit [http://www.lavote.net/Recorder/Document\\_Recording.cfm](http://www.lavote.net/Recorder/Document_Recording.cfm)) to complete the following tasks:

- a) **Record Affidavit of Acceptance Form and Conditions of Approval:** Submit the original Affidavit of Acceptance form (wet signature) and Conditions of Approval to the County Registrar-Recorder for recording. If your project has an associated Mitigation Monitoring Reporting Program (MMRP), this document should be recorded as well. Request one certified copy of the recorded Affidavit, Conditions of Approval, and MMRP (if applicable) to submit to the Department of Regional Planning.
- b) **Pay CEQA Fees and Post Notice of Determination (NOD):** Environmental filing fees and posting of an NOD are required pursuant to the California Environmental Quality Act (CEQA). This should be completed within five (5) working days from the day after your appeal period ends **March 25, 2015**. Bring two copies of the enclosed NOD along with one check for fees, payable to the "County of Los Angeles", as applicable below:
  - ☒ **Not Required (Categorically Exempt)**
  - ☐ **\$75.00 for Notice of Determination (NOD), with original "No Effect" form from the California Department of Fish & Wildlife (for posting only)**
  - ☐ **\$2,285.00 for Notice of Determination (NOD) for the issued Negative Declaration or Mitigated Negative Declaration (Includes \$75.00 Registrar-Recorder processing fee).**
  - ☐ **\$3,144.75 for the Environmental Impact Report (Includes \$75.00 Registrar-Recorder processing fee).**

**STEP 3: REGIONAL PLANNING:** Schedule an appointment with the case planner to submit the following items in person:

- a) One certified copy of the recorded Affidavit of Acceptance, Conditions of Approval, and MMRP if applicable. The certified copy will have an official document number and a purple recordation stamp from the Registrar-Recorder. Also bring a NOD posting receipt, and CEQA filing fee receipt if applicable. NOD posting receipt, and F & W fee receipt.
- b) Three full-sized copies of the final site plans, or as otherwise requested by the planner. Plans must be folded to fit into an 8 1/2" x 14" folder. At your final appointment, you will receive a copy of the approved site plan, and approved plans will be routed to the Department of Public Works, Building and Safety, as applicable.
- c) One check payable to "County of Los Angeles" for zoning inspection fees\*, and MMRP fees if applicable (see Conditions of Approval). Write project number on checks.

**STEP 4: OBTAIN BUILDING PERMITS:** Bring your copy of the approved site plan to the Department of Public Works, Building and Safety office.\*

For questions or for additional information, please contact the planner assigned to your case. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

\* Does not apply to subdivision cases.





Please complete and return to:  
Department of Regional Planning  
320 West Temple Street, 13th Floor  
Los Angeles, California 90012

### AFFIDAVIT OF ACCEPTANCE

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

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**REGARDING: PROJECT NO. R2015-01747-(3)  
COASTAL DEVELOPMENT PERMIT NO. 201500074  
1720 TUNA CANYON ROAD (APNS: 4448-018-042 AND 4448-018-033)**

I/We the undersigned state:

I am/We are the permittee of the above-mentioned permits and/or owner of the real property described above. I am/We are aware of, and accept, all the stated Conditions of Approval for the above-mentioned permit(s).

I/We have enclosed a check in the amount of **\$400.00** payable to the County of Los Angeles as required by the Conditions of Approval for regular inspections for compliance. I/We also acknowledge that I/We and my/our successors in interest may be required to reimburse the Department of Regional Planning for any additional enforcement efforts necessary to bring the subject property into compliance.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

I/We declare under the penalty of perjury that the foregoing is true and correct.

*Complete both Applicant and Owner sections, even if the same.*

*Signatures must be acknowledged by a Notary Public. Affix seal or appropriate acknowledgements.*

Applicant's Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Signature: \_\_\_\_\_

Owner's Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Signature: \_\_\_\_\_



**FINDINGS OF THE HEARING OFFICER  
AND ORDER  
COUNTY OF LOS ANGELES  
PROJECT NUMBER R2015-01747-(3)  
COASTAL DEVELOPMENT PERMIT NUMBER 201500074**

1. The Los Angeles County ("County") Hearing Officer ("Hearing Officer") conducted a duly noticed public hearing in the matter of Coastal Development Permit No. 201500074 on October 4, 2016.
2. The permittee, Angelo Paparella ("permittee"), requests the minor Coastal Development Permit ("CDP") to authorize the construction of a 596 SF kitchen single-story addition to an existing 3,000 SF two-story residence, construction of a proposed 998 SF single-story detached garage, and minor widening of an existing driveway ("Project") on a property currently developed with a single-family home, pool, and guest house located at 1720 Tuna Canyon Road (APNs: 4448-018-042 and 4448-018-033) ("subject property").
3. The subject property contains 3.4 gross acres (2.7 net acres) and is located on the east side of Tuna Canyon Road.
4. The subject property is located in the Malibu Zoned District, the Santa Monica Mountains Coastal Zone ("Coastal Zone"), and is zoned R-C-10 (Rural Coastal – 10 Acre Minimum Area Required).
5. With the Coastal Commission's certification of the LCP on October 10, 2014, the Hearing Officer has the authority to act on Minor CDP applications.
6. The project site is shown within the RL10 (Rural Land 10) land use category in the Santa Monica Mountains Land Use Plan ("LUP").
7. Surrounding zoning within a 700-foot radius includes:  
North: R-C-20 (Rural Coastal – 20 Acre Minimum Area Required)  
South: R-C-10  
East: R-C-10,000 within the Fernwood Rural Village  
West: R-C-10, R-C-20
8. Surrounding land uses include:  
North: Single-family residences  
South: Privately owned vacant lots and single-family residences  
East: Single-family residences within the Fernwood Rural Village  
West: Privately owned vacant lots and single-family residences
9. The zoning and case history for the subject property is as follows:
  - The subject property is Lot 42 Record of Survey No. 076-074 recorded on December 10, 1958.

- On July 7, 1980, the California Coastal Commission (Coastal Commission) approved Administrative Coastal Development Permit No. SF-80-6940 which approved the existing single-family residence and an accessory structure. On February 4, 1985, Los Angeles County gave final approval to the building permit for the house.
  - On May 3, 1991, Los Angeles County gave final approval to the building permit for the guest house.
  - On July 2, 1996, the Coastal Commission approved an exemption letter for the swimming pool on the property. The pool then received a building permit on July 11, 1996.
  - On June 19, 2003, the Coastal Commission granted Waiver De Minimus No. 4-03-039-W which approved minor changes to the configuration of this property.
10. The Exhibit "A" shows that the subject property is irregularly. Tuna Canyon Road is west of the subject property. The Exhibit "A" shows the driveway accessing the property via Tuna Canyon Road via a 20-foot wide gate. The driveway then passes north of the pool, north of the proposed garage, through the proposed Fire Department hammerhead turnaround, and to the existing houses in the northeast corner of the property. There is also an existing guest house to the southeast of the main house. The proposed addition and garage are located between the existing house and the existing guest house.

The Exhibit "A" shows that the topography of subject property drops to the south of the house and driveway down to a stream that is located near the south property line. The house is about 160 feet from the stream. The proposed addition and garage will be approximately the same distance from the stream. The existing guest house is about 30 feet from the stream.

11. The Project Site is accessible via Tuna Canyon Road to the west. Tuna Canyon Road is a designated scenic route.
12. The Project includes three covered parking spaces in the proposed garage.
13. Pursuant to County Code Section 22.44.1860, the proposed Project was reviewed by the ERB because the Project is within 200 feet of H1 habitat. The ERB reviewed the Project on April 18, 2016, and found the Project to be consistent, after modifications, with the resource protection policies and provisions of the LCP. At this meeting, the ERB made 25 recommendations to mitigate potential resource impacts. These recommendations pertain to: method of brush clearance, minimizing construction impacts, landscaping with native plants, runoff retention, bird and bat protections, exterior lighting, and bird-friendly fenestration. These recommendations have been incorporated into the CDP Conditions of Approval. The ERB minutes from the April 18, 2016 meeting are attached to this staff report.



14. The Los Angeles County Fire Department and Department of Public Works reviewed this project and determined that no comments or conditions from those departments were necessary prior to the public hearing regarding this case.
15. The Project qualifies for a Categorical Exemption (Class 3 – New Construction or the Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and the County environmental guidelines.
16. Pursuant to the provisions of Sections 22.44.970 and 22.44.990 of the County Code, the community was appropriately notified of a Public Hearing by mail, newspaper, property posting, and on the Department's website. Newspaper notices were published on September 1, 2016 and September 8, 2016 in the Malibu Times. Notices to property owners located within a 1,000-foot radius of the property boundaries were mailed on August 30, 2016. Notices were posted on the subject property on September 1, 2016 and were made available on the Department's website and at the Topanga Library.
17. At the October 4, 2016 Hearing Officer hearing, staff presented the case and recommended approval subject to conditions. The applicant, Shelley Coulson, presented additional project information. The applicant also stated that she and the owner had read the conditions of approval and were willing to agree to them. After hearing all testimony, the Hearing Officer closed the public hearing and approved the project subject to the attached conditions.
18. The Project is subject to the policies of the Santa Monica Mountains Land Use Plan (LUP). The Hearing Officer finds the Project to be consistent and supportive of the applicable goals and policies contained in the LUP.
19. The Project was analyzed for consistency with the LUP's allowable land uses. The subject property is located within the RL10 (Rural Land 10) land use category of the LUP, a component of the Los Angeles County General Plan ("General Plan"). Therefore, the Project is also consistent with the General Plan.
20. The project is consistent with the overriding goals of the LCP, including protecting, maintaining, and when feasible, enhancing and restoring habitat. The Project is located within a disturbed area of H3 habitat. No H1 habitat will be impacted by this project.
21. The Hearing Officer further finds that the Project is compatible with the surrounding area in the unincorporated Santa Monica Mountains. The Project is surrounded by residential land use and is consistent with this land use.
22. The Project complies with development standards of R-C-10 zone as well as the Community-Wide Development Standards and Area-Specific Development Standards sections of the LUP. A single-family residence, as well as an accessory detached garage, are allowed as the principal permitted use in the R-C-10 zone.

The permittee has requested the minor CDP for the above-mentioned development allowed in this zone.

23. The Project is consistent with the LCP's resource projection goals and policies because it is located within a disturbed area of H3 habitat. No H1 habitat will be impacted by this Project. Therefore, the project minimizes adverse effects to nearby sensitive environmental resources.
24. The Hearing Officer finds that pursuant to the provisions of Sections 22.44.970 and 22.44.990 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, and property posting.
25. The Hearing Officer finds that the Project conditions are consistent with applicable provisions of Section 22.44.1010 of the County Code.
26. The Hearing Officer finds that the Project site is located at 1720 Tuna Canyon road on an improved road. The Hearing Officer further finds that existing utility and water service providers and public safety agencies will have the capacity to serve the Project without any significant burden and without creating deficiencies in service to adjacent residential areas.
27. The Hearing Officer finds that Project impacts to the environment and the community are limited by clustering the fuel modification of the proposed residence with those of existing structures.
28. The Hearing Officer finds that the proposed grading and engineering for the Project will ensure public safety during Project construction and operation because the Project Site is not located in a liquefaction zone. The project is in a landslide zone, but the minimal amount of grading proposed, less than 50 cubic yards total, adequately mitigates any potential risk of landslide.
29. The Hearing Officer finds that the Project's design includes features to maximize fire safety. The Project will implement a fuel modification plan to minimize the risks of wildfires, establish buffer zones around the proposed structure, dictate the types of vegetation allowed within the buffer zone, and include requirements regarding the removal of brush. Furthermore, all structures within the Project site will be located along paved, all-weather and accessible driveways, including a Fire Department Turnaround, to allow easier access by fire fighting vehicles.
30. The Hearing Officer finds that the Project will comply with County development standards, including development standards in the LIP related to vegetation management and landscaping, height, grading, exterior lighting, yards, walls, fences, parking and loading facilities, construction colors and, materials, and design, visual resource protection, biological resource protection policies and provisions, and other development features. Project landscaping will be required to comply with

the requirements of the LIP and the County's drought-tolerant landscaping ordinances.

31. The Hearing Officer finds that the size of the Project Site, 3.4 gross acres, is more than adequate to accommodate the Project structures and any yards, walls, fences, parking, landscaping, and other development features needed for the Project.
32. The Hearing Officer finds that the Project's proposed three covered spaces will be sufficient to address the needs of the Project.
33. The Hearing Officer finds that the LCP's Biological Resources will not need to be modified as a result of this project.
34. The Hearing Officer finds the Project Site is not within a liquefaction zone, or FEMA flood zone. The Project, as proposed, will neither be subject to nor increase instability on or off the subject site and has been engineered to ensure structural integrity from geologic, flood, or fire hazards through project design and location. There are no alternatives that would avoid or substantially lessen impacts on site stability or structural integrity. The Project Site is within a very high fire hazard severity zone, but the existing fuel modification and brush clearance being conducted on the site mitigates this risk.
35. The Hearing Officer finds that the project, as proposed, is the least environmentally damaging alternative, and that the Project is consistent with the sensitive resource protection policies contained in the LUP. There are no other alternative locations that would result in less damage to native habitat.
36. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Special Projects Section, Department of Regional Planning.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:**

- A. The proposed use with the attached conditions will be consistent with the adopted Santa Monica Mountains Local Coastal Program and the General Plan and that the proposed uses are not located between the nearest public road and the sea or shoreline of any body of water located within the Coastal Zone.
- B. The proposed use at the site will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.

- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in the LIP, or as is otherwise required to integrate said use with the uses in the surrounding area.
- D. The proposed site contains adequate parking on-site for the Project; is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
- E. The proposed uses will not adversely affect identified biological resources and would conform to the biological resource protection policies and provisions of the LCP.

**THEREFORE, THE HEARING OFFICER:**

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15303 of the State CEQA Guidelines (Class 3, New Construction or Conversion of Small Structure categorical exemption); and
- 2. Approves Coastal Development Permit No. 201500074, subject to the attached conditions.

**ACTION DATE:** October 4, 2016

**MKK:JSH  
10/5/2016**

**c: Zoning Enforcement, Building and Safety**

**CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2015-01747-(3)  
COASTAL DEVELOPMENT PERMIT NO. 2015000074**

**PROJECT DESCRIPTION**

The project is the construction of a 596 SF kitchen single-story addition to an existing 3,000 SF two-story residence, construction of a proposed 998 SF single-story detached garage, minor widening of an existing driveway, and less than 50 cubic yards ("CY") of grading ("Project"), subject to the following conditions of approval:

**GENERAL CONDITIONS**

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition No. 11. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 6, and 10 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.44.1090 of the Los Angeles County Code ("County Code").
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. Assumption of Risk, Waiver of Liability and Indemnity. By acceptance of this permit, the permittee acknowledges and agree (i) that the site may be subject to hazards from wildfire and erosion; (ii) to assume the risks to the applicants and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the County, its officers, agents, and employees

for injury or damage from such hazards; and (iv) to indemnify and hold harmless the County, its officers, agents, and employees with respect to the Hearing Officer's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

6. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

7. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
9. Prior to the issuance of a Coastal Development Permit, the applicant shall submit to the Director for review and approval documentation demonstrating that, after the Coastal Development Permit was issued and implemented, with all special conditions of that permit satisfied, and the applicant executed and recorded a deed restriction against the parcel governed by this permit, as it existed at the time of recordation, in a form and content acceptable to the Director: (1) indicating that, pursuant to this permit, Los Angeles County has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the

Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit, consistent with 22.44.1270 (Lighting), 22.44.1920(E) (Lighting), 22.44.1920(I) (Future Improvements), and 22.44.1920(J) (Open Space Requirements).

10. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
11. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of \$400.00. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for two biennial (one every other year) inspections. Inspections shall be unannounced and one of the required inspections shall be conducted during construction.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").



15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **January 4, 2017**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.
19. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Director.

#### **PERMIT SPECIFIC CONDITIONS – COASTAL DEVELOPMENT PERMIT**

20. A Low Impact Development (LID) Plan as part of the drainage concept is required. Per County Code Section 12.84.460, comply with LID requirements and provide calculations in accordance with the Low Impact Development Standards Manual which can be found at <http://dpw.lacounty.gov/idd/web/>. Submit a LIP Plan to the County Department of Public Works prior to January 4, 2017.
21. Structural Appearance. The permittee shall comply with and remain in substantial conformance with the color palette and material specifications as outlined in Section 22.44.1320 of the County Code and as approved by the this permit. The palette shall include the colors proposed for the roofs, trims, exterior surfaces, driveways, retaining walls, and other structures authorized by this permit. Acceptable colors shall be limited to colors compatible with the surrounding environment (earth tones) including shades of green, brown and gray with no white or light shades and no bright tones. All windows shall be comprised of non-glare glass. The approved structures shall be colored with only the colors and window materials authorized pursuant to this special condition. Any substantial changes in



the proposed structural appearance may be required to obtain amendment(s) to the permit(s) or new Coastal Development Permit(s).

22. **Lighting Restriction.** The permittee shall comply with the provisions for Exterior Lighting as outlined in Section 22.44.1270 of the County Code.
23. **Future Development Restriction.** This permit is only for the development described in this Coastal Development Permit. Pursuant to Title 14 California Code of Regulations section 13250(b)(6), the exemptions otherwise provided in Public Resources Code section 30610(a) shall not apply to the development governed by this Coastal Development Permit. Accordingly, any future structures, future improvements, or change of use to the permitted structures authorized by this permit, including but not limited to, any grading, clearing or other disturbance of vegetation other than as provided for herein as part of these conditions of approval, shall require an amendment to this Coastal Development Permit from the Los Angeles County or shall require an additional Coastal Development Permit from Los Angeles County or from the California Coastal Commission.
24. **Removal of Vegetation.** Removal of natural vegetation for the purpose of fuel modification within the 50 foot zone surrounding the proposed structure(s) shall not commence until the local government has issued a building or grading permit for the development approved pursuant to this permit. Vegetation thinning within the 50-200 foot fuel modification zone shall not occur until commencement of construction of the structure(s) approved pursuant to this permit.
25. **Archaeological Resources.** By acceptance of this permit the applicant agrees to have a qualified archaeologist(s) and appropriate Native American consultant(s) present on-site during all grading, excavation and site preparation that involve earth moving operations. The number of monitors shall be adequate to observe the activities of each piece of active earth moving equipment. Specifically, the earth moving operations on the project site shall be controlled and monitored by an archaeologist(s) for the purpose of locating, recording, and collecting any archaeological materials. In the event that an area of intact buried cultural deposits are discovered during operations, grading work in this area shall be halted and an appropriate data recovery strategy shall be developed by the applicant's archaeologist and the Native American consultant and implemented subject to the review and approval of the Director.

#### **PROJECT SITE SPECIFIC CONDITIONS**

26. This grant shall authorize the construction of a 596 SF kitchen single-story addition, with a maximum height of 18 feet, to an existing 3,000 SF two-story residence, construction of a proposed 998 SF single-story detached garage with a maximum height of 18 feet, minor widening of an existing driveway, and less than 50 CY of grading.

27. Prior to January 4, 2017, the applicant shall submit a Revised Exhibit "A" to Regional Planning that shows both the garage and addition as having a height of less than 18 feet at all points when measured from existing or finished grade.
28. Within fuel modification zone C, no further modification in the riparian habitat shall be done. Only dead or dying material shall be removed.
29. Applicant shall plant perennials in the grassland area which will help in controlling erosion in the fuel modified area. Fuel modification will continue there, but should be changed from disking to weed-whip to accord with the LIP, and this method will help maintain perennial roots.
30. Prior to January 4, 2017, a Construction Runoff Plan shall be submitted to Regional Planning as a Revised Exhibit "A." It shall depict the locations of any sediment and debris traps, any straw wattles, sand bags, or silt fence that will be used to direct flows to the traps, and flow directions. The permittee's contractor should inspect the traps and other containment devices to ensure proper function. The plan should be implemented during the rainy season or prior to rain events.
31. Equipment for grading, construction, landscaping, and fuel modification shall be pressure-washed before transport to the property to remove dirt and any invasive plant propagules.
32. The permittee's contractor shall:
  - a. Comply with all litter and pollution laws and will provide covered trash receptacles so that all food scraps, food wrappers, beverage containers, etc. can be disposed of. The contractor will empty the trash receptacles at the end of each day or as needed, and dispose of it at an off-site landfill;
  - b. Ensure that no debris, bark, slash sawdust, rubbish, cement or concrete or washing thereof, oil petroleum products, or other organic material from any construction, or associated activity of whatever nature, shall be allowed to enter into, or be placed where it may be washed by rainfall or runoff into the nearby stream;
  - c. Refuel and lubricate all equipment over drip pans or other appropriate containment devices;
  - d. Position all stationary equipment and any equipment that is to be repaired over the drip pans or other appropriate containment devices;
  - e. Check and maintain all equipment on a daily basis in order to prevent leaks. If a leak occurs, the permittee's contractor shall immediately clean up any spills and fix the leak;
  - f. Make available at the site all supplies necessary for clean-up of spills (absorbent and barrier materials in quantities determined by the permittee's contractor to be sufficient to capture the largest reasonably foreseeable spill and drums or containers suitable for holding and transporting contaminated materials).

33. As a basic plan, calculate all horizontal, impervious surface area (SA) including roofs, decks, etc., convert to gallons from a 3/4-in. rainfall [ $\text{SAsq.ft.} \times (7.48 \text{ gal/cu.ft}) \times (0.75 \text{ in.} / (12 \text{ in./ft.}))$ ] and insure the planters have sufficient capacity.
34. The applicant shall submit a Revised Exhibit "A" confirming that the design of driveway drainage and capture of runoff. To insure capture by the southern check dam and hammerhead and control north runoff, install a north curb and slope the driveway so that all runoff of the driveway is directed to the south capture areas.
35. Prior to January 4, 2017, the applicant shall submit a Revised Exhibit "A" showing the check dam for all driveway drainage to insure it is adequate.
36. Disking for fuel modification is prohibited in the LIP §22.44.1240.A.2. To retain the grassland, fuel modification by hand tools, including weed whips, should be used.
37. The time of year for fuel modification shall be after the native grasses have dispersed seed, or if earlier, allow clumps of native grasses to disperse seed in alternate years. Weed-whipping before the non-natives have matured seed is the best time to promote the native perennials over the non-natives.
38. The applicant shall use hand tools for initial and future fuel modification in any fuel-modified area for this project. Hand tools will allow sensitive insects and small animals to escape. Any large equipment used should be pressure-washed to remove invasive plant propagules before transport to the site.
39. Any pines (*Pinus* spp.) or *Eucalyptus* spp. that are within 20-ft (Zone A) of any structure shall be removed. This includes all seedlings. They are fire hazards. Also remove any pine or eucalyptus branch that is close enough to have branches overhanging the roofs or branches within 10-ft. of roofs of the structures. Prior to January 4, 2017, the applicant shall submit a Revised Exhibit "A" showing which trees will be removed.
40. Wildlife surveys shall be done before any clearing, grubbing, grading, driveway expansion or fuel modification activities are scheduled to begin. Applicant shall submit verification to Regional Planning that this condition has been satisfied.
41. Bat survey shall be done any time of year pre-construction. CDFW protocols should be followed for removal of trees with bats and extirpation of bats from rock outcrops. Bat maternity colonies are possible and should not be disturbed (March 1-September 30). CDFW should be consulted in all cases when bat roosts are to be removed or blocked. In the event of bat expulsion, bat habitat should be constructed appropriate to the species being expelled. Applicant shall submit verification to Regional Planning that this condition has been satisfied.
42. Beginning thirty days prior to the initiation of project activities (grading, brush clearance, etc) and regardless of time of year, a qualified biologist with experience in conducting breeding bird surveys shall conduct weekly bird surveys to detect

protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors). The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of project activities. If a protected native bird is found, the project proponent should delay all project activities until the qualified biologist determines the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Alternatively, the qualified biologist could mark a buffer zone for the nest with flagging, stakes and construction fencing to demarcate 300 feet (or 500 feet) between the project activities and the nest. CDFW must authorize closer buffer distances. Monitoring biologist shall use judgment, but in general, buffers should be determined so that construction activities result in noise less than 60 dB at the nest. The monitor shall communicate about the prohibition buffers with the foremen and work crews. Project personnel, including all contractors working on site, should be instructed on the sensitivity of the area. The project proponent should provide the results of surveys and protective measures to the CEQA lead agency and CDFW, in order to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Applicant shall submit verification to Regional Planning that this condition has been satisfied.

43. If preconstruction surveys show potential for birds and/or bats, shed removal shall be done according to CDFW recommendations. Tree removals shall be done carefully in order to allow roosting birds and bats to escape. To the extent feasible, tree removal or relocation shall be scheduled between October 1 and November 30, in order to be outside bird nesting season (December 1 to August 30) and outside of the bat maternity roosting season (March 1 to September 30). Trees shall be removed in a manner that allows birds and bats to escape, pushed or pulled to the ground in 2-3 nudges, with a pause of approximately 30 seconds between each nudge to allow bats and birds to become active. The tree should then be pushed to the ground slowly and should remain in place for a period of 48 hours to allow any trapped animals to escape. Chain saws shall only be used after the tree has been on the ground for 48 hours. Applicant shall submit verification to Regional Planning that this condition has been satisfied.
44. Exterior lighting shall follow provisions in the LIP §22.44.1270, avoiding light trespass into the night sky and any natural areas both onsite and offsite, including natural areas such as fuel modified areas in H3 habitat. Prior to January 4, 2017, the applicant shall show all exterior lights on a Revised Exhibit "A" submitted to Regional Planning.
45. All unpaved areas in fuel-modified zones, especially the grassland, shall be seeded with a mix of grassland and forb natives of the Santa Monica Mountains. For native bunch grasses, container grass bunches can be used. *Stipa pulchra* and/or *Stipa lepida*, as appropriate, are possible perennial grasses. Planting native perennials and maintaining the roots of these are important objectives. Prior to January 4, 2017, submit a Revised Exhibit "A" to Regional Planning showing where seeding is proposed.

46. Prior to January 4, 2017, identify the trees proposed for planting on a Revised Exhibit "A". They should be drought-tolerant natives of the Santa Monica Mountains, consistent with County Fire requirements.
47. Prior to January 4, 2017, the applicant shall submit a Revised Exhibit "A" to Regional Planning with detailed information regarding the windows of the proposed residence. Glass used within the Project's windows shall be the least reflective and/or have frit patterns that will promote energy conservation and also prevent bird strikes when the bird mistakes a reflection of habitat for available flight space.

**Attachments:**

**Nesting Birds: Guide to Bird-Friendly Tree and Shrub Trimming and Removal**

